



U. S. Department
of Transportation

**Federal Aviation
Administration**

Great Lakes Region
Illinois, Indiana, Michigan,
Minnesota, North Dakota,
Ohio, South Dakota,
Wisconsin

2300 East Devon Avenue
Des Plaines, Illinois 60018

POLICY AND PROCEDURES MEMORANDUM - AIRPORTS DIVISION

NUMBER : 5190.8

DATE : MAR 19 1998

SUBJECT : FINANCIAL REPORT FOLLOW-UP PROCEDURES

CANCELLATION :

REFERENCES : FEDERAL AVIATION ADMINISTRATION AUTHORIZATION ACT OF 1994
FEDERAL REGISTER, DATED MARCH 18, 1996, PAGES 11077 & 11078, "AIRPORT FINANCIAL REPORTS"
FEDERAL REGISTER DATED JULY 29, 1996, PAGES 39499 & 39500
"AIRPORT FINANCIAL REPORTS"
ARP-1 MEMORANDUM, DATED FEBRUARY 18, 1998

APPENDICES : 1. FINANCIAL REPORT FOLLOW-UP - FLOW CHART
2. SAMPLE LETTER - REQUEST FOR INFORMATION FROM THE AIRPORT OWNER
3. SAMPLE LETTER - RESPONSE TO REQUEST FOR TIME EXTENSION OF MORE THAN 30 DAYS.
4. SAMPLE LETTER - NOTICE OF POSSIBLE INVESTIGATION
5. SAMPLE LETTER - NOTICE, REVENUE DIVERSION UNACCEPTABLE
6. SAMPLE LETTER - ACCEPTANCE OF AIRPORT OWNER'S RESPONSE
7. SAMPLE LETTER - DIVERTED FUNDS RETURNED
8. SAMPLE LETTER - NOTICE OF REFERRAL TO AAS-400
9. SAMPLE MEMORANDUM - REFERRAL TO AAS-400
10. RESOLUTION OF COMMENTS (Internal Use Only)
11. REFERENCES

1. Background

The Federal Aviation Administration Authorization Act of 1994 required airport owners to provide two financial reports with respect to revenues and other operational considerations. Information on obtaining copies of the reporting forms, obtaining assistance from FAA in completing the reports and directions for submission of the reports was provided in the Federal Registers dated March 18, 1996 and July 29, 1996. On December 2, 1996, AGL-620 provided the ADO's a draft letter for the ADO's use in advising airport owners on financial reporting. The AAS-310 memorandum dated September 10, 1997 established procedures to follow when AAS-310 raises possible revenue diversion concerns based on their analysis of the financial reports. AGL-600 requested comments from the ADO's on the AAS-310 financial form follow-up procedures, by memorandum dated September 19, 1997. In the mean time, a new office, the Airport Compliance Division, AAS-400, has taken over the compliance function from AAS-310. ARP-1 issued revised procedures reflecting this change per memorandum dated February 18, 1998.

2. Purpose

These procedures are intended to assist FAA personnel and airport owners in responding to concerns raised by AAS-400 based on their analysis of the financial reports furnished by the airport owners.

Distribution: AGL-600/601/602/610/620
ADO's - BIS/CHI/DET/MSP
All State Directors (Information Through ADO's)

Originator : AGL-620

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3. Policy/Procedures

The ADO's shall keep their copy of the airport owner's financial reports and any related correspondence for 5 years, at which time they may be destroyed. The following process will be used (See Appendix 1):

a. ADO will send, within 10 days of notification by the regional office contact, AGL-620, a letter (see Appendix 2) by certified mail to the airport in question. The letter will request the airport to provide to the Airports District Office, within 30 days, an explanation or further details regarding the suspect payment(s). A copy of this letter will be sent to AAS-400 and AGL-620, by the ADO.

(1) The airport can make an extension request of 30 days or less verbally or in writing. The ADO should record when the request was received and its action. The ADO should advise AGL-620 and AAS-400 of the extension via cc:mail.

(2) Requests for extensions of more than 30 days should be submitted to the ADO in writing and should contain justification. The ADO should coordinate the request with AAS-400 through AGL-620, if possible per cc:mail. The ADO will notify the airport of the time extension/or denial by certified letter, with copies to AGL-620 and AAS-400. (See Appendix 3)

(3) If the airport owner fails to respond to the ADO, as requested, within 10 days of the response due date, the ADO will notify the airport owner, through a certified follow-up letter, that the FAA (AAS-400) will initiate an investigation in accordance with procedures set forth in Title 49, Code of Federal Regulations, Part 16 (49 CFR 16) if a response is not furnished within 20 days (see Appendix 4). If the airport owner fails to respond within 20 days, from the date of the follow-up letter, the ADO will immediately request the Region (AGL-620) to refer the case to AAS-400 for continuation. (See Appendix 8)

b. When the information is received from the airport in question, the ADO will analyze the data and will determine, within 60 days of the receipt of said information, whether the diversion is acceptable or not acceptable to FAA.

(1) In those cases where assistance in the interpretation of the current revenue diversion policy is necessary, the ADO will forward the airport owner's response to AGL-620 within 10 days of the date of receipt.

(2) AGL-620 will advise the ADO relative the current revenue diversion policy, by cc-mail, within 30 days of receipt of the information from the ADO.

c. If the airport is able to document and justify the revenue diversion, the ADO will send a certified letter to the airport owner with a copy to AGL-620 and AAS-400. This letter should state that FAA has accepted the explanation and indicate that FAA does not plan to pursue the matter any further. (See Appendix 5)

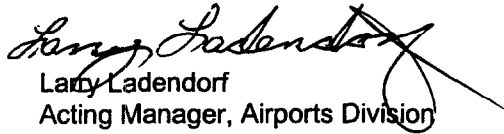
d. If the airport owner cannot justify the use of airport funds, the ADO will notify the airport that it must return the diverted amount plus interest to the airport account (See Appendix 6). The ADO will notify AGL-620 and AAS-400 of all revenue diversion determinations by a copy of the letter to the airport owner.

(1) The pay back period can be negotiated between the ADO and the airport owner.

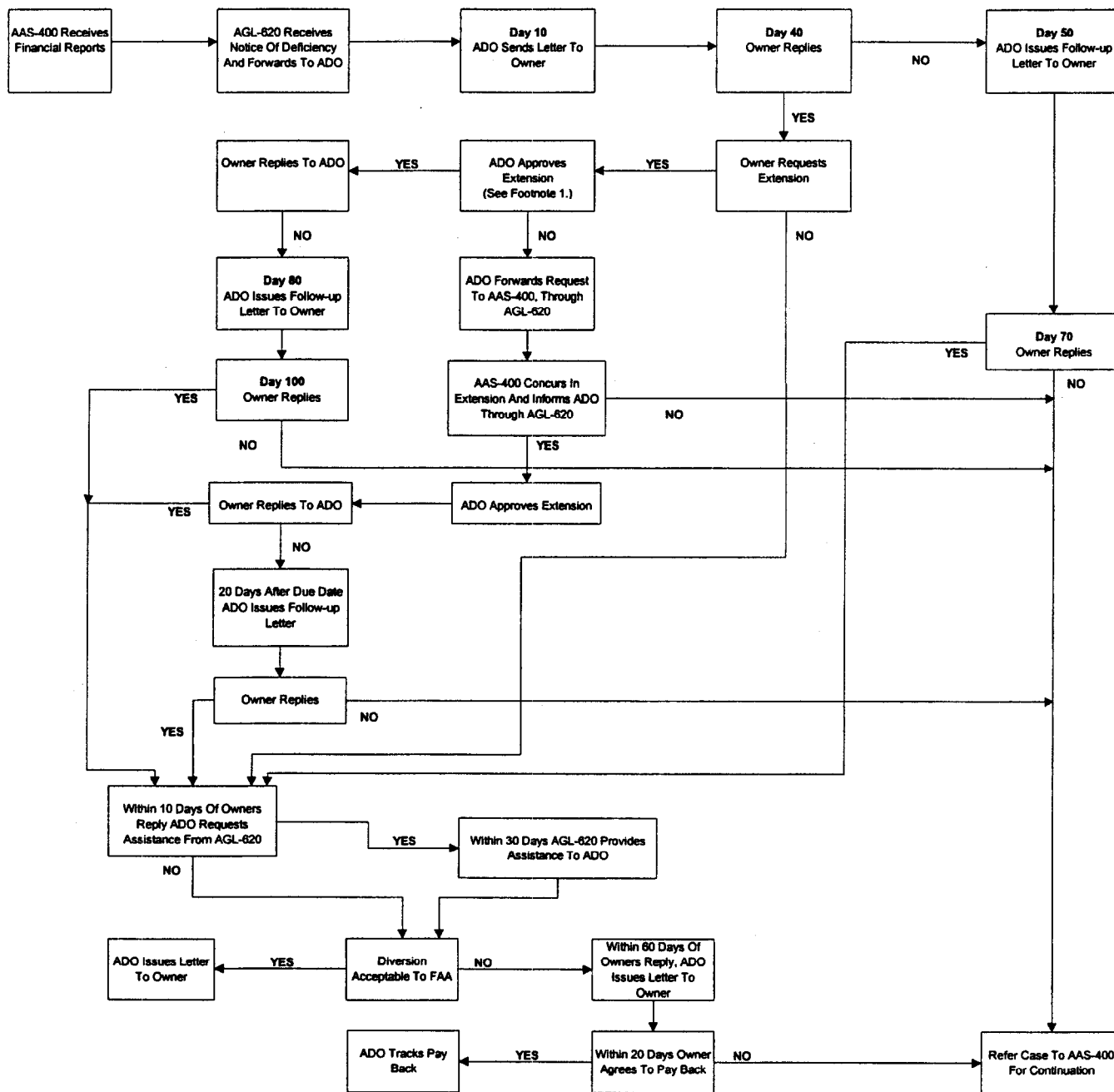
(2) The ADO will establish a tracking system to document the actual pay back of the funds.

(3) A certified letter should be sent to the airport owner when diverted funds have been returned and the diversion issue resolved to the satisfaction of FAA. (See Appendix 7) A Copy should be sent to AGL-620 and AAS-400.

e. If the airport in question refuses to pay back the diverted revenues upon notification that there appears to be unlawful diversion of revenue, the ADO will request the Region (AGL-620) to refer the case to AAS-400 for continuation and notify the airport operator of the referral. (See Appendixes 8 & 9)


Larry Ladendorf
Acting Manager, Airports Division

FINANCIAL REPORT FOLLOW-UP PROCEDURES FLOW CHART



¹ If total extension is not more than 30 days, ADO approves extension request. If total extension exceeds 30 days, request will be submitted to AAS-400, through AGL-620, prior to ADO approval.

APPENDIX 2
SAMPLE LETTER – REQUEST FOR INFORMATION FROM THE AIRPORT OWNER

CERTIFIED MAIL

(Date)

(Name and Address of Airport Owner)

Financial Form Follow Up Concerns
(Airport Name), (Name of Associated
City), (State)

Dear (Mr. or Ms.)(Name):

FAA has reviewed the Financial Forms dated (date of form) (copy enclosed) and has the following concerns:

- a. (list concern)
- b. (list concern)

Please provide further details that explain why the expenditures of airport revenue listed above should not be considered diversions of airport revenue.

Your response to these concerns of FAA, should be provided to the (Name of ADO) Airports District Office, at (Address of ADO), within 30 days of the date of this letter.

If you have any questions please call me at (Telephone Number).

(Name of Program Manager)

Enclosure

cc: AGL-620
AAS-400

APPENDIX 3
SAMPLE LETTER – RESPONSE TO REQUEST FOR TIME EXTENSION OF MORE THAN
30 DAYS

CERTIFIED MAIL

(Date)

(Name and Address of Airport Owner)

Financial Form Follow-Up Concerns
(Airport Name), (Name of Associated
City), (State)

Dear (Mr. or Ms.)(Name):

FAA has reviewed your request dated (date of request) for a time extension to respond to the following concerns based on the Financial Forms dated (date of form):

- a. (list concern)
- b. (list concern)

In our letter of (date of information request letter) we asked you to explain why the expenditures of airport revenue listed above should not be considered diversions of airport revenue within 30 days.

Based on our review of your request and supporting justification, FAA has determined that the time extension can be granted. Consequently, we look forward to receiving your response by (Date).

If you have any questions please call me at (Telephone Number).

(Name of Program Manager)

Enclosure

cc: AGL-620
AAS-400

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APPENDIX 4
PPM 5190.8

APPENDIX 4
SAMPLE LETTER – NOTICE OF POSSIBLE INVESTIGATION

CERTIFIED MAIL

(Date)

(Name and Address of Airport Owner)

Financial Form Follow-Up Concerns
(Airport Name), (Name of Associated
City), (State)

Dear (Mr. or Ms.)(Name):

On (Date of Request for Information Letter) FAA requested information to explain concerns resulting from FAA's review of the Financial Forms dated (Date of Form). Your response to FAA's request was due (due date).

Please be informed that the FAA will initiate an investigation in accordance with procedures set forth in Title 49, Code of Federal Regulations, Part 16 (49 CFR 16) if a response is not furnished to this office within 20 days of the date of this letter.

If you have any questions please call me at (Telephone Number).

(Name of Program Manager)

cc: AGL-620
AAS-400

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APPENDIX 5
PPM 5190.8

APPENDIX 5
SAMPLE LETTER – ACCEPTANCE OF AIRPORT OWNER'S RESPONSE

CERTIFIED MAIL

(Date)

(Name and Address of Airport Owner)

Financial Form Follow-Up Concerns
(Airport Name, (Name of Associated
City), (State)

Dear (Mr. or Ms.)(Name):

FAA has reviewed the information provided by letter dated (date of letter from airport owner) concerning revenue issues at (Airport name). Based on the information provided, FAA has determined that unacceptable revenue use has not occurred and does not plan to pursue the matter any further.

If you have any questions please call me at (Telephone Number).

(Name of Program Manager)

cc: AGL-620
AAS-400

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APPENDIX 6
PPM 5190.8

APPENDIX 6
SAMPLE LETTER – NOTICE, REVENUE DIVERSION UNACCEPTABLE

CERTIFIED MAIL

(Date)

(Name and Address of Airport Owner)

Financial Form Follow-Up Concerns
(Airport Name, (Name of Associated
City), (State)

Dear (Mr. or Ms.)(Name):

FAA has reviewed the information provided by letter dated (date of letter from airport owner) concerning revenue issues at (Airport name). Based on the information provided (Airport Name) must return (Dollar Amount) of diverted airport revenue plus interest to the airport account. The interest rate shall be no less than the prevailing fixed interest rate of conventional loans in the area of the airport.

Please furnish this office your payback schedule, interest rate, interest amount, and the period for which interest is to be paid.

If you have any questions please call me at (Telephone Number).

(Name of ADO Manager)
Manager, (Name of ADO)-ADO

cc: AGL-620
AAS-400

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APPENDIX 7
PPM 5190.8

APPENDIX 7
SAMPLE LETTER – DIVERTED FUNDS RETURNED

CERTIFIED MAIL

(Date)

(Name and Address of Airport Owner)

Financial Form Follow-Up Concerns
(Airport Name), (Name of Associated
City), (State)

Dear (Mr. or Ms.)(Name):

FAA has reviewed the information provided by letter dated (date of letter from airport owner) concerning revenue issues at (Airport name). Based on the information provided, FAA has determined that diverted funds plus interest have been returned to the airport account and FAA does not plan to pursue the matter any further.

If you have any questions please call me at (Telephone Number).

(Name of Program Manager)

cc: AGL-620
AAS-400

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APPENDIX 8
PPM 5190.8

APPENDIX 8
SAMPLE LETTER – NOTICE OF REFERRAL TO AAS-400

(Date)

(Name and Address of Airport Owner)

Financial Form Follow-Up Referral
(Airport name), (Name of Associated City), (State)

Dear (Mr. or Ms.)(Name):

We have previously communicated our concerns relative to the revenue issues at (Airport Name). Since you have been unable to meet our request, we have determined it to be necessary to refer this case to our Airport Compliance Division (AAS-400) for continuation.

(Name of ADO Manager)
Manager, (Name of ADO)-ADO

cc: AGL-620

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APPENDIX 9
PPM 5190.8

APPENDIX 9
SAMPLE MEMORANDUM - REFERRAL TO AAS-400

INFORMATION: Financial Form Follow-Up Referral

Manager, (Name of ADO)-ADO
THROUGH: Manager, Safety/Standards Branch, AGL-620

Manager, Airport Compliance Division, AAS-400

We have communicated our concerns relative to the revenue issues at (Airport Name) to the (Airport Operator's Name). We have reached an impasse with the (Airport Operator's Name) as substantiated by the attached correspondence. We are referring this case to your office for continuation.

(Name of ADO Manager)

Attachments

cc: AGL-620

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APPENDIX 11
PPM 5190.8

APPENDIX 11
REFERENCES

1. ARP-1 Memorandum, Dated 2-18-98
2. Federal Register, Dated 3-18-96
pp. 11077 & 11078
3. Federal Register, Dated 7-29-96,
pp. 39499 & 39500



U.S. Department
of Transportation
**Federal Aviation
Administration**

MAR 10 1998

Memorandum

101-6207

Subject: **ACTION:** Procedures for Management
of the Airport Financial Reporting
Program

Date: FEB 18 1998

From: Associate Administrator for
Airports, ARP-1

Reply to
Attn. of:

To: Regional Airport Division Managers

On September 10, 1997, I issued a memorandum which directed the Office of Airport Safety and Standards (AAS) and regional divisions to institute procedures to resolve potential instances of revenue diversion detected from an AAS review of airport financial reports. This memorandum is issued to reflect changes to that procedure due to a Headquarters' realignment, and to prescribe additional procedures to be followed to bring all airports into compliance with the financial reporting requirements.

Investigation of Issues of Potential Revenue Diversion

As you are aware, in December 1997, Airports created the Airport Compliance Division (AAS-400). The Airport Compliance Division is responsible for the implementation and management of the airport financial reporting program. Accordingly, my September 10, 1997, directive is reissued to reflect this realignment and shall read as follows:

1. AAS-400 will notify the region when a review of the financial form indicates the possibility of revenue diversion, attaching a copy of the financial form and indicating the problem area.
2. The region will send, within 10 days of notification by AAS-400, a letter to the airport in question. The letter will request the airport to provide, within 30 days, an explanation or further details regarding the suspect payment(s). A copy of this letter will be sent to AAS-400.

If the airport requests additional time to provide the information, the region may grant the airport an extension. However, extensions of more than 30 days are not to be granted without written concurrence by AAS-400.

If the airport fails to respond to the region's inquiry, the region should notify the airport within 10 days of the response due date, through a follow-up letter, that the FAA will initiate an investigation in accordance with the procedures set forth in Title 49, Code of Federal Regulations, Part 16 (49 CFR 16) if the sponsor does not respond within 20 days. If the airport still chooses not to respond within 20 days from the date of the follow-up letter the region will immediately notify AAS-400 to discuss the next steps.

3. When the information is received from the airport in question, the region will analyze the data and will determine, within 60 days of the receipt of said information, whether the use of airport revenue in question is legal or illegal. AAS-400 will be available to help in that analysis.

4. If the airport cannot justify the use of airport funds, the region will notify the airport that it must return the diverted amount plus interest to the airport account. The payback period can be negotiated between the region and the airport. A tracking system will be established by the region to track the actual payback of the funds. The region will notify AAS-400 of all findings of non-compliance.

5. If the airport is able to document and justify the use of airport revenue, the region will send a letter to the airport, with a copy to AAS-400, accepting the explanation and indicating that FAA does not plan to pursue the matter any further.

6. If the airport in question refuses to pay back the diverted revenues upon notification that there appears to be unlawful diversion of revenue, the region will notify AAS-400 to discuss the next steps.

This amended procedure replaces the procedures I issued in my September 10, 1997, memorandum in its entirety.

Ensuring Compliance with the Reporting Requirements

As we begin to collect the second year of airport financial reports, it has become apparent that a procedure is needed to reconcile reports received by the regions/airport district offices to the reports received by AAS-400. It is also apparent that we must increase our efforts to ensure compliance with the airport financial reporting requirements. Last year we reported only a 75 percent compliance rate to Congress. AAS-400 records show only a 65 percent compliance rate so far this year. Consequently,

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I am directing AAS and the regional divisions to put into place the following procedure:

1. Regions/airport district offices will direct all airport requests for filing extensions to the AAS-400 within 10 days of such a request. AAS-400 will advise the regions/airport district offices of which airports have been granted filing extensions within 10 days of the granting of such an extension. Normally, AAS-400 will not grant an extension of more than 60 days.

2. AAS will notify the regions/airport district offices on an annual basis of the airports required to file financial reports. Since enplanement data is not available to determine commercial service status until October of each year, changes in the airports required to file during the current fiscal year will not be announced until October. However, I encourage the regions and airport district offices not to delay enforcement pending this notification, as said changes normally do not affect many of the airports required to file.

2. On a quarterly basis, AAS-400 will produce a list of airports who are 60 days or more past due in filing their financial reports and provide the listing to all regions/airport district offices. (AAS-400 will announce the dates upon which such listings will be published on an annual basis.)

3. The regions/airport district offices will reconcile these listings to the reports they have received, and provide any reports on the listing that the region/airport district office has received to AAS-400 within 30 days. Likewise, if AAS-400 has reports that the region has not yet received, AAS will provide those reports to the region/airport district office upon request.

4. If the region/airport district office does not have a copy of the report(s) indicated on the AAS-400 listing, it will send a letter to the delinquent airport within 10 days of such a determination notifying the airport of its delinquency in the filing of the airport financial reports. The letter should require the airport to file the report within 30 days of the date of the letter.

5. If the airport fails to submit its financial reports within the 30 days, the region/airport district office will send a second notice of delinquency and notification of potential non-compliance. This letter will provide the airport with an additional 20 days to comply with the reporting requirement. The letter will also inform the airport sponsor that failure to file the reports within the specified time frame will result in the immediate

withholding of discretionary grant awards for that airport. In addition, the sponsor should be notified that FAA will start the process for finding the airport in non-compliance with its grant assurances. A finding of non-compliance could result in the withholding of all Airport Improvement Program grant payments and awards, including entitlement funding (if applicable).

6. The region/airport district office will send a copy of all delinquency notifications to AAS-400 for the record.

Once again, I express the importance of bringing all airports into compliance with the financial reporting requirements. This goal, however, can only be achieved through the collaborative efforts of AAS and each region and airport district office.



Susan L. Kurland

required to provide additional information to demonstrate eligibility for such visas. The Department of State envisions no changes to the existing form at this time.

Title of Information Collection: Nonimmigrant Visa Application.

Agency Form Number: OF-156.

Frequency: The form is used each time an alien applies for a nonimmigrant visa to the United States, which in many cases is one time only for an individual. The frequency of use is the minimum required to meet the statutory provisions of the INA.

Member of affected public: Nonimmigrant visa applicants.

Estimated number of respondents: 8,000,000 per year.

Estimated hours per response: 25 to 1 hour.

Total estimated burden hours: 2,000,000 to 8,000,000 hours.

Status of the proposed information collection: Extension of a currently approved collection.

Authority: Sections 3506 and 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C., Chapter 35, as amended. 44 U.S.C. 3507(d) does not apply.

Dated: March 6, 1996.

Ruth A. Davis,
Acting Assistant Secretary for Consular Affairs.

[FR Doc. 96-6437 Filed 3-15-96; 8:45 am]

BILLING CODE 4710-06-M

including revenue surplus. This notice provides information on obtaining copies of the formats, assistance from the FAA in completing the reports, and directions for submitting the required reports. In the near future the FAA will issue further guidance on the filing of this information in an electronic data format and may issue revised formats in response to comments received.

DATES: Comments on the reporting formats contained in this notice are due May 2, 1996. Financial reports described in this notice are due from airport sponsors on the 60th day following the end of the sponsor's fiscal year, beginning the first fiscal year ending after the date of this notice.

ADDRESSES: Comments should be mailed, in quadruplicate, to: Federal Aviation Administration, Office of Chief Counsel, Attention: Rules Docket (AGC-200), Docket No. 28495, 800 Independence Avenue, SW., Washington, DC 20591. All comments must be marked: "Docket No. 28495." Commenters wishing the FAA to acknowledge receipt of their comments must include a pre-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 28495." The postcard will be date stamped and mailed to the commenter. Comments on this Notice may be examined at the above address in room 915G on weekdays, except on Federal holidays, between 8:30 a.m. and 5 p.m.

Copies of the report formats and instructions for completing the reports are available from the persons listed under "For Further Information Contact," and may also be downloaded via internet from the Office of the Associate Administrator for Airports World Wide Web site at: <http://www.faa.gov/arp/arphome.htm>.

Reports must be submitted to the airport sponsor's Airports District Office and to: Airport Safety and Compliance Branch, AAS-310, ATTN: AIRPORT FINANCIAL REPORTS, Federal Aviation Administration, 800 Independence Ave., NW., Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: Benedict D. Castellano, Manager, Airport Safety and Compliance Branch, AAS-310, Federal Aviation Administration, 800 Independence Ave. S.W., Washington, DC 20591, telephone (202) 267-8728; or Ellis Ohnstad, Manager, Airports Program Guidance Branch, APP-510, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, telephone (202) 267-3431.

SUPPLEMENTARY INFORMATION:

Federal Aviation Administration Authorization Act of 1994

This proposed statement of policy and related procedures is being published pursuant to section 111 of the Federal Aviation Administration Authorization Act of 1994, Public Law 103-305 (August 23, 1994) (1994 Authorization Act). That section requires the Secretary, through a new grant assurance and through establishment of a new report format, to require two new reports relating to airport revenue.

Section 111(a) of the 1994 Authorization Act amends Title 49 U.S.C. 47107(a) to add a new sponsor assurance. New assurance no. 26(e) requires airport owners or operators to submit to the Secretary and make available to the public an annual report listing all amounts paid by the airport to other units of government and the purposes for the payments. Airport owners or operators must also make available a listing of all services and property provided to other units of government and the amount of compensation received for provision of each such service and property.

Section 111(b) of the 1994 Authorization Act requires the Secretary to issue a simplified format for financial reporting for airports, to assist in public understanding of airport finances and to provide information concerning the amount of any revenue surplus, the amount of concession-generated revenue, and other information required by the Secretary. Under existing Assurance 26, the sponsor is obligated to submit such annual or special financial and operations reports as the Secretary may reasonably request. Section 111(b) specifies a report to be submitted under that authority. Specifically, Section 111(b) requires that the report include:

* * * information relating to total revenues, operating expenditures, capital expenditures, debt service payments, contributions to restricted funds, accounts, or reserves required by financing agreements or covenants or airport lease or use agreements or covenants. Such format shall require each commercial service airport to report the amount of any revenue surplus, the amount of concession-generated revenue, and other information as required by the Secretary.

An operating and financial report, such as the Operating and Financial Summary, may be required under Assurance No. 26 at the request of the Secretary. Responsibility for administration of this requirement is delegated to the FAA. By this notice the FAA is requiring the filing of annual financial and operating reports under

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 28495]

Airport Financial Reports

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of availability; request for comments.

SUMMARY: This document announces the availability of formats for the preparation and filing of certain financial reports required from sponsors of federally assisted airports, and requests comments on those formats. The FY 1994 FAA Authorization Act included provisions requiring two new reports from airport sponsors. The first requires sponsors of federally assisted airports to report to the Department of Transportation amounts paid and services provided to other units of government. The second requires that the sponsor of each commercial service airport report in detail the total revenue and expenditures at the airport,

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Assurance No. 26 in accordance with Section 111 of the 1994 Authorization Act.

Airport Sponsors Required To File Reports

Sponsors of commercial service airports are required to file both reports. While the Governmental Payment and Services Report is technically required from all sponsors accepting grants with the new assurance, the FAA will require submission of the report to the Airports District Office and Washington headquarters only by commercial service airports at this time. There are slightly more than 600 commercial service airports in the United States. This group of airports includes the airports used by air carriers, and includes all of the largest airports most likely to be able to generate excess revenue that could be diverted to non-airport uses. Other airport sponsors subject to the requirement must prepare the report and make it available on request to the FAA, members of the public, and members of the airport user community. The FAA may require that all airports submit the Governmental Payment and Services Report in the future.

Sponsors Operating More Than One Airport

Generally, a separate report must be submitted for each airport. State governments that operate multiple airports may request an exception to this requirement to consolidate reports for certain airports, such as non-commercial or non-primary airports. The request must be submitted in writing to the FAA office that administers the sponsor's projects (e.g., Airports District Office) and must include an explanation of the reasons for proposed consolidation of multiple airports in one report, a list of the airports that would be affected, and an explanation of why the consolidation would not significantly affect the collection of information on revenue use at those airports.

Effective Date and Time for Filing

The formats and instructions for the two reports described in this notice are effective on the date of publication of this notice. The requirement to file the Governmental Payment and Service Report is effective upon the acceptance of a grant containing new Assurance No. 26(e) required by 49 U.S.C. 47107(a)(19). The FAA is requiring the filing of annual financial and operating reports under Assurance No. 26 effective upon publication of this notice.

Both reports are due 60 days after the end of the sponsor's fiscal year, beginning the first year that ends after the publication date of this notice. This will require that the report include information on part of a fiscal year prior to publication of the notice. However, the information requested in the report is basic airport financial information, and would have been collected and recorded by a sponsor in any event. Accordingly, we would not expect the reporting of information for the current fiscal year to be an undue burden on sponsors. Comment is requested on any specific hardships with the reporting of this information.

Where To File Reports

Sponsors should send one copy of each report to the FAA office that administers the sponsor's grants and one copy to the Airport Safety and Compliance Branch, AAS-310, ATTN: AIRPORT FINANCIAL REPORTS, Federal Aviation Administration, 800 Independence Ave., NW., Washington, DC 20591. Also, all reports must be made available to the public and to airport users on request. The reports represent summaries of airport financial activity only, and the FAA expects that the sponsor will have detailed accounting information and records available to support the summaries if requested by the FAA.

Signature Level of Certifying Official

The reports must be signed by:

- (1) The principal financial officer of the airport authority, if the airport is an independent authority;
- (2) the principal financial officer of the local political jurisdiction that operates the airport, if the airport is operated as an agency or department of local government; or
- (3) the principal financial officer of the state executive department that operates the airport, if the airport is operated by a state government.

Electronic Data Submission

The formats made available indicate how the information included in the reports is to be categorized and organized if filed by hard copy report. It is the FAA's intention to provide for the filing of this information using an electronic data format. The FAA will publish more detailed information on the format and technical requirements for electronic data format filing prior to July 1, 1996. It is contemplated that the reports will be required on electronic spreadsheet and word processing programs, submitted electronically or on standard-format computer diskettes. Word processing and spreadsheet files

will be required to be readable by current versions of one or more of the following programs, or in such other format as may be specified by notice in the Federal Register: Microsoft Word, Word Perfect, Ami Pro, Microsoft Excel, Lotus, Quattro Pro, or ASCII tab-delineated files. Submissions in electronic form will assist the FAA to analyze data and prepare reports, including consolidated reports to Congress, on the individual submissions. The paper copy would be the official record copy of the report, but sponsors would certify that files on the diskette are true copies of the data file used to prepare the printed version of the report.

Effective Date and Request for Comments

The reporting formats made available at this time are effective upon publication of this notice and should be used until superseded by a new format published in the Federal Register. Copies of the formats are available from the persons listed under FOR FURTHER INFORMATION CONTACT and may also be downloaded by internet from the Office of the Associate Administrator for Airports World Wide Web site at: <http://www.faa.gov/arp/arphone.htm>.

Comments are invited on the format and instructions for each report. The FAA will make every effort to make any changes in the format and publish notice of the revised form in the Federal Register prior to June 30, 1996.

Issued in Washington, DC on March 13, 1996.

James H. Washington,
Acting Associate Administrator for Airports.
[FR Doc. 96-6408 Filed 3-15-96; 8:45 am]
BILLING CODE 4910-13-M

Acceptance of Noise Exposure Maps and Request for Review of Noise Compatibility Program for Kahului Airport, Kahului, Maui, HI

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the State of Hawaii, Department of Transportation for the Kahului Airport under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR Part 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Kahului Airport

AVERAGE LOAN MATURITY BY LOAN PROGRAM—LOAN PORTFOLIO BASIS—Continued
(Quarter Ended 03/31/96)

Loan program	Number of loans	Total maturity months	Average maturity months	Average maturity years
Total	1,033	178,563	173	14.42
Veterans:				
Direct	860	110,935	129	10.75
Immed Part	2	480	240	20.00
Guaranty	1	120	120	10.00
Total	863	111,535	129	10.75
SBIC:				
Direct	128	18,142	142	11.83
Immed Part	0			.00
Guaranty	210	26,592	127	10.58
Total	338	44,734	132	11.00
Displ Bus:				
Direct	405	128,885	318	26.50
Immed Part	41	11,993	293	24.42
Guaranty	2	546	273	22.75
Total	448	141,424	316	26.33

[FR Doc. 96-19186 Filed 7-26-96; 8:45 am]
BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 28495]

Airport Financial Reports

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Extension of filing deadline.

SUMMARY: On March 18, 1996, the FAA published in the Federal Register a notice of availability of formats for the preparation of filing of two financial reports required from sponsors of federally assisted airports. The notice also requested comments on those formats. The reports are required from airport sponsors under the FY 1994 FAA Authorization Act. The first report requires sponsors of federally assisted airports to report to the Department of Transportation amounts paid and services provided to other units of government. The second requires that the sponsor of each commercial service airport report in detail the total revenue and expenditures at the airport, including revenue surplus. The March 18 notice stated that the reports were required within 60 days of the end of the sponsor's fiscal year. In consideration of comments received, and in order to complete work on final

reporting formats and instructions for completing the forms, the FAA is extending the filing date for the reports. Until further notice is published in the Federal Register, the reports must be filed within 120 days of the end of a sponsor's fiscal year. The FAA will issue further guidance on the filing of this information as soon as possible.

DATES: Airport financial reports described in the notice published March 18, 1996, are due from airport sponsors on the 120th day following the end of the sponsor's fiscal year, beginning the first fiscal year ending after the date of this notice.

ADDRESSES: Copies of the report formats and instructions for completing the reports are available from the persons listed under "For Further Information Contact," and may also be downloaded via internet from the Office of the Associate Administrator for Airports World Wide Web site at: <http://www.faa.gov/arp/arphome.htm>.

Reports must be submitted to the airport sponsor's Airports District Office and to: Airport Safety and Compliance Branch, AAS-310, ATTN: AIRPORT FINANCIAL REPORTS, Federal Aviation Administration, 800 Independence Ave., NW., Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: Benedict D. Castellano, Manager, Airport Safety and Compliance Branch, AAS-310, Federal Aviation Administration, 800 Independence Ave., SW., Washington DC 20591, telephone (202) 267-8728; or Ellis

Ohnstad, Manager, Airports Program Guidance Branch, APP-510, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-3831.

SUPPLEMENTARY INFORMATION: The requirement for filing of two new airport financial reports is published pursuant to section 111 of the Federal Aviation Administration Authorization Act of 1994, Pub. L. No. 103-305 (August 23, 1994) (1994 Authorization Act). That section requires the Secretary, through a new grant assurance and through establishment of a new report format, to require two new reports relating to airport revenue. Those reports are described in detail in the notice published March 18, 1996 (61 FR 11077).

The March 18 notice established specific procedures and filing times for the reports, but also requested public comment on the procedures. The Comment period closed May 2, 1996. Comments received on the notice will be addressed in the final version of the reporting format and instructions to be published as soon as the FAA completes its review of the comments received.

In the March 18 notice, the FAA expressed the intention to issue final guidance before June 30, 1996, in consideration of the number of local governments with a fiscal year ending on that date. Reports were to be filed within 60 days after the end of a sponsor's fiscal year. Many of the commenters expressed problems with

the 60-day reporting period, however, based on the fact that audited numbers for the fiscal year are frequently not available within 60 days after the end of that year. Because we believe it is important to have audited information for the filing of the required reports, the FAA is contacting affected sponsors to obtain information on the fiscal year and the availability of audited information at each airport subject to the reporting requirement.

In order to permit time to obtain this additional information and to complete work on the final reporting format and instructions, and in the meantime to avoid the filing of reports not based on audited financial data, the FAA is temporarily extending the time in which reports are due.

Effective immediately, and until further notice is published in the Federal Register, the two required reports are due within 120 days of the end of an airport's fiscal year. The 120-day filing period does not represent a final agency decision on the issue. Some airport operators commented that audited numbers for their airports were not available for as long as 180 days after the end of the fiscal year. All such comments will be considered before the adoption of a final filing procedure, and the requirement may be changed in the final reporting instructions to be issued. All other filing requirements set forth in the March 18 notice remain in effect pending issuance of final instructions.

Issued in Washington, DC on July 19, 1996.

Susan L. Kurland,

Associate Administrator for Airports.

[FR Doc. 96-19105 Filed 7-26-96; 8:45 am]

BILLING CODE 4910-13-M

Receipt of Noise Compatibility Program and Request for Review; McGhee Tyson Airport, Knoxville, TN

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces that it is reviewing an updated noise compatibility program that was submitted for McGhee Tyson Airport under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) hereinafter referred to as "the Act") and 14 CFR Part 150 by Metropolitan Knoxville Airport Authority. McGhee Tyson Airport has an existing noise compatibility program approved May 5, 1989, and amended March 4, 1993. This updated Noise Compatibility Program was submitted subsequent to a decision

by FAA that associated noise exposure maps submitted under 14 CFR Part 150 for McGhee Tyson were in compliance with applicable requirements effective October 12, 1995. The proposed updated Noise Compatibility Program will be approved or disapproved on or before January 18, 1997.

EFFECTIVE DATE: The effective date of the start of FAA's review of the noise compatibility program is July 22, 1996. The public period ends September 20, 1996.

FOR FURTHER INFORMATION CONTACT: Peggy S. Kelley, Memphis Airports District Office, 2851 Directors Cove, Suite 3, Memphis, Tennessee 38131-0301. Telephone 901-544-3495. Comments on the proposed noise compatibility program should also be submitted to the above office.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA is reviewing a proposed noise compatibility program for McGhee Tyson Airport which will be approved or disapproved on or before January 18, 1997. This notice also announces the availability of this program for public review and comment.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) Part 150, promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposed for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The FAA has formally received the proposed updated noise compatibility program for McGhee Tyson Airport, effective July 22, 1996. It was requested that the FAA review this material and that the noise mitigation measures to be implemented by the airport be approved as measures to the noise compatibility program under Section 104(b) of the Act. An amendment to the updated program, submitted subsequent to the updated noise compatibility program document, is also considered.

Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days will be completed on or before January 18, 1997.

The FAA's detailed evaluation will be conducted under the provisions of 14

CFR Part 150, § 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, the noise compatibility program, and the proposed revisions to the noise compatibility program are available for examination at the following locations:

Federal Aviation Administration, 800 Independence Avenue, SW., Room 617, Washington, DC 20591

Federal Aviation Administration, Memphis Airports District Office, 2851 Directors Cove, Suite 3, Memphis, Tennessee 38131-0301

Administrative Offices, Metropolitan Knoxville Airport Authority, McGhee Tyson Airport, Alcoa, Tennessee 37701.

Questions may be directed to the individual named above under the heading, FOR FURTHER INFORMATION CONTACT.

Issued in Memphis, Tennessee, July 22, 1996.

LaVerne F. Reid,

Manager, Memphis Airports District Office.

[FR Doc. 96-19231 Filed 7-26-96; 8:45 am]

BILLING CODE 4910-13-M

[Summary Notice No. PE-96-35]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and